



DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

Planning Division

m e m o r a n d u m

TO: Mayor Diane Wolfe Marlin and City Council
FROM: John A. Schneider, Manager, Community Development Services Department
DATE: January 18, 2018
SUBJECT: **An Ordinance Amending the Zoning Ordinance of the City of Urbana, Illinois**
(Multi-Family Parking and Building Setback Text Amendment)

Introduction

At the December 18, 2017, City Council meeting, Planning staff presented a series of proposed text amendments to the Zoning Ordinance. After some discussion, City Council forwarded two items to the Committee of the Whole for further discussion, while approving the remainder of the proposed changes. This memorandum provides an in-depth analysis of the two outstanding items from the December 18 meeting: a proposed reduction in the amount of required parking for single bedroom apartments, and a proposed clarification to how required setbacks in residential zoning districts are calculated.

Proposed Change #1: Create a Uniform 0.5 Spaces-Per-Bedroom Parking Requirement for Multi-Family Residential Buildings

Summary

- 1. The current requirement – one parking space per bedroom for single-bedroom apartments – is too high.*
- 2. Buildings with both single- and multiple-bedroom units have nearly identical parking demand to buildings with only multiple-bedroom units, suggesting that residents in single-bedroom units do not demand more parking.*
- 3. The current requirement makes it more costly to provide single-bedroom apartments in areas where demand for them is the highest.*
- 4. Most of the demand for on-street parking is not caused by residents of single-bedroom apartments.*
- 5. Reducing the minimum parking requirement would not reduce the amount of parking provided in areas where more parking is needed.*

Background

The current ordinance requires a minimum of one parking space for every unit in multi-family residential buildings. This means that units with only one bedroom are required to have more parking on a per-bedroom basis than units with multiple bedrooms (one space per bedroom in single-bedroom

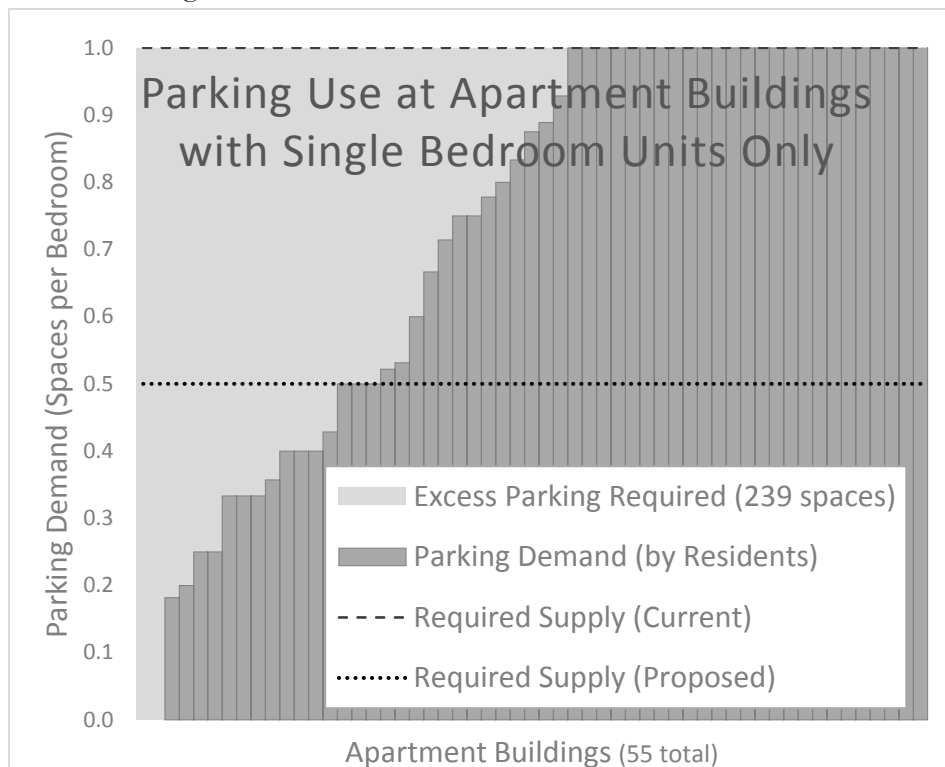
units versus half-a-space per bedroom in multiple-bedroom units). This creates a disincentive to build single-bedroom units, because it costs more money and uses more land to provide parking for the same number of tenants in single-bedroom units than in multiple-bedroom units. The proposed change would remove the disincentive to build single-bedroom units by requiring a uniform rate of 0.5 parking spaces per bedroom in multi-family residential buildings.

In 2017, Planning staff conducted an extensive survey of owners/managers of multi-family residential buildings near the University of Illinois campus. In total, staff received data for 187 out of 272 properties that were targeted in the survey, a response rate of 69 percent. The purpose of the survey was to better understand the off-street parking supply and demand near campus. The results from the survey have helped to shape the proposal to reduce parking for single-bedroom apartments, as discussed below.

Discussion

1. The current parking requirement for single-bedroom apartments is too high.

Minimum parking requirements set a base level for the off-street parking supply. If the current requirements for single-bedroom apartments are set at a reasonable level, we would expect the observed demand for parking to be around 1:1 (one space to one bedroom). Out of 55 apartment buildings in the 2017 parking survey that only have single-bedroom units, less than half (25) have an observed demand of 1:1. For more than half (30) of the apartment buildings surveyed, the Zoning Ordinance requires more parking than their residents demand. Furthermore, 14 buildings (25%) have demand of less than 0.5 spaces per bedroom, suggesting that in some cases, the proposed requirement of 0.5 spaces per bedroom will still lead to more parking than is needed. Taken as a whole, there are 239 excess parking spaces required for the buildings surveyed, based on current demand, which represents an oversupply of 40 percent. In short, the current parking requirement for single-bedroom apartments is much too high.

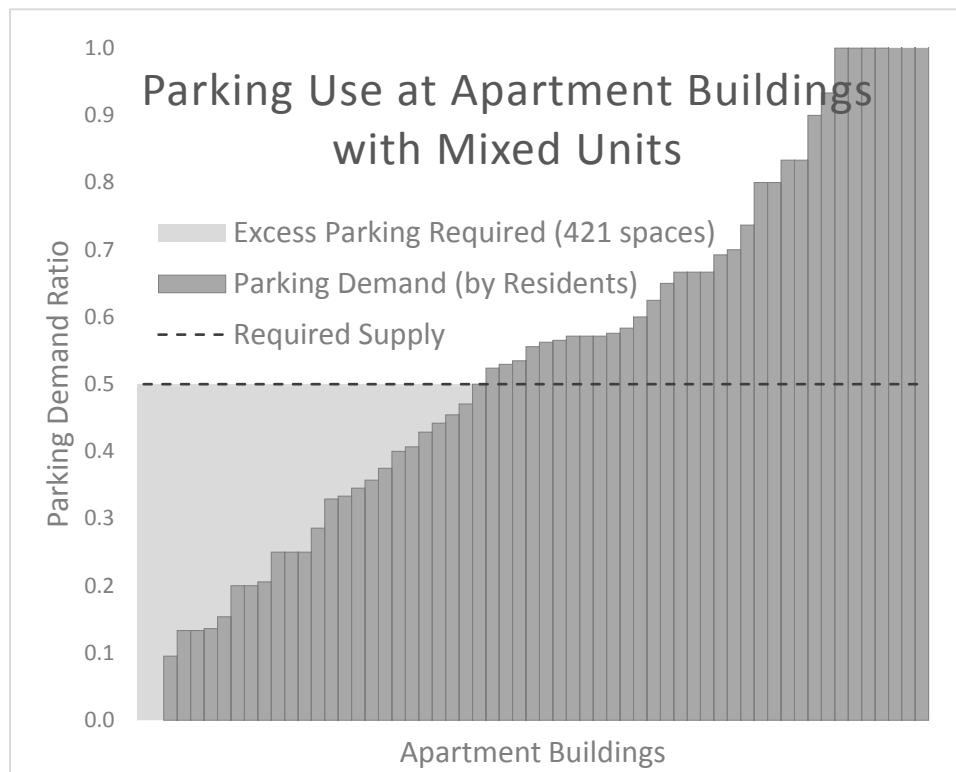
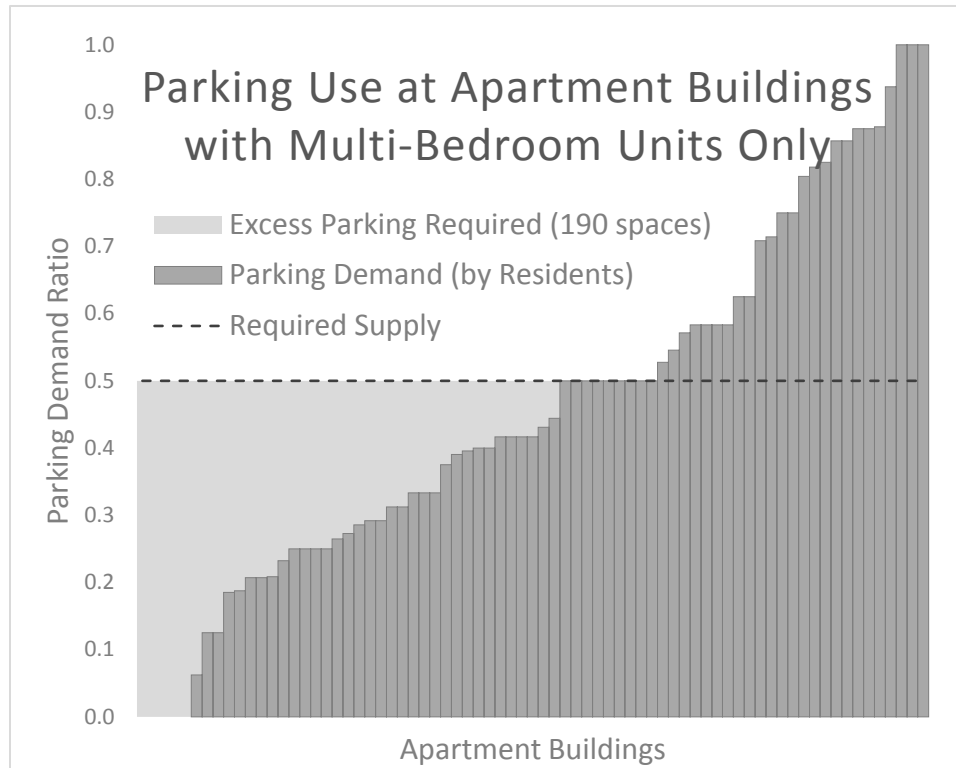


2. Mixed unit buildings (buildings with both single- and multiple-bedroom units) have nearly identical parking demand to buildings with only multiple-bedroom units, suggesting that residents in single-bedroom units do not demand more parking.

If all single-bedroom units generated more demand for parking than multiple-bedroom units, we would expect to see higher parking demand from “mixed unit” buildings than for buildings with multiple-bedrooms only. However, the data show no such difference.

In fact, the demand is nearly identical for mixed buildings and for buildings with multiple-bedrooms only, suggesting that single-bedroom units in mixed buildings have no effect on parking demand.

Note: While the “required supply” for mixed-unit buildings is represented as 0.5 spaces per bedroom in the chart to the right, it varies based on the number of single-bedroom units in each building, but that would be difficult and confusing to chart. At a minimum, the required supply will just above 0.5.



As shown in Table 1 below, the demand for single-bedroom units is well below the current requirement of 1:1 in both single-bedroom only and mixed-unit buildings.

Table 1: Parking Demand by Unit Type

Unit Type	# of Buildings	Total Bedrooms	Single Bedroom Units	Parking* Demand	Demand per Bedroom
Single-Bedroom Only	56	598	598	368	0.62
Mixed Single- and Multi-Bedroom	59	1,837	411	740	0.40
Multi-Bedroom Only	78	1,928	0	793	0.41
Total	193	4,363	1,009	1,901	0.44

**Demand = Parking spaces on site plus on-street parking permits issued to residents of surveyed buildings*

3. *The current requirement makes it more costly to provide single-bedroom apartments in areas where demand for them is the highest, with additional costs being passed along to all tenants, whether they use parking spaces or not.*

Parking is expensive¹ and takes up valuable space². In areas near campus, where land is valuable and in short supply, the current requirement discourages the construction of single-bedroom units. The current requirement forces developers to spend twice as much – in money and in space – on parking for a future tenant of a single-bedroom unit than for a tenant in a multi-bedroom unit. Some of the additional cost can be passed on to the tenant in the form of higher rent or parking fees, but in the end parking does not pay for itself.

In 2013, the City of Champaign reduced their parking requirements for multi-family units to a flat rate of 0.5 spaces per bedroom, as is currently proposed in Urbana with this text amendment.³ In their memo to the Champaign City Council, staff quoted a local developer about the cost of parking:

*“Assuming a construction cost of \$20,000 per space (low for structured parking), resulting debt service is around \$1,400 per year. Typical expenses run about \$600 per space. Thus, to break even, parking rent needs to be at least \$2,000 per year. This is double the highest rates we currently see.”*⁴

Champaign staff explained the ramifications of this statement:

“...even when underestimating the costs of providing parking and overestimating the prices University District residents are willing to pay for parking, parking is still a net financial loser. Thus, in order to cover the costs of providing required parking, University District landlords must raise apartment rents for all tenants regardless of their parking needs. By

1 Conservatively, one surface parking space costs around \$3,000. A parking space in a parking structure can cost \$20,000 or more.

2 On average, a parking space in a surface parking lot requires 250-350 square feet. (Victoria Transport Policy Institute: Transportation Cost and Benefit Analysis II – Parking Costs)

3 Like Urbana, Champaign had required parking at a 1:1 ratio for single-bedroom units.

4 The highest rate observed in the parking survey conducted by Urbana planning staff was \$990 per year, with an average of \$510 per year. That is not enough to cover the cost of structured parking, which means the costs will be passed along to tenants, whether they use the parking spaces or not.

not building one bedroom apartments, developers are able to at least minimize their need to shift parking costs onto non-parking residents.”

In locations that are not close to campus, the current requirement of one parking space for single-bedroom units might also discourage other types of affordable, desirable units. For instance, apartment buildings that cater to people with disabilities (who may not be able to drive), to older people, and to people who take public transit (by choice or by necessity) could be built more affordably if the parking requirement is reduced as proposed.

4. Most of the demand for on-street parking is not caused by residents of single-bedroom apartments.

One argument against reducing the off-street parking requirement for single-bedroom units is that it may increase demand for on-street parking. While on-street parking data is not available for all areas, permit data for the West Urbana neighborhood is available, including data on the number of permits granted to residents of buildings that were surveyed.

In total, residents of apartment buildings accounted for 96 (28%) of the 343 on-street parking permits purchased in 2017.

	Parking Permits	% of Total
Greek Houses	110	32%
Homes (Owner Occupied)	97	28%
Apartments	96	28%
Homes (Rental)	40	12%
	343	100%

In addition, out of the 187 buildings surveyed, there were 54 on-street parking permits purchased in 2017. Of those, 9 (17%) were purchased by residents in single-bedroom apartments.¹ Given these numbers, it is unlikely that reducing the parking requirements for single-bedroom units will substantially increase the demand for on-street parking. In areas where on-street parking is in high demand, there are likely more direct methods to address the issue than by requiring more off-street parking for a small subset of residents.

5. Reducing the minimum parking requirement would not reduce the amount of parking provided in areas where more parking is needed.

At the Urbana Plan Commission meeting on December 7, 2017, there was a concern that reducing the parking requirements for single-bedroom units may reduce the amount of parking provided in areas where more parking is needed (e.g. areas near I-74 or on the edge of town). Reducing the minimum requirement should have no effect on those areas, because it does not set a maximum amount of parking that can be provided. If a developer believes that more parking is needed to meet market demand, they will provide it.

¹ 33 permits (61%) were purchased by residents in mixed-unit buildings, but it is not possible to tell whether the permit holders lived in single- or multiple-bedroom units.

Conclusion

While staff does not suggest that the parking requirement be reduced to less than 0.5 spaces per bedroom at this time, we feel that the current requirement of one space for every single-bedroom apartment is excessive and discourages developers from including one-bedroom units in new multi-family buildings.

The proposed change would require 0.5 parking spaces per bedroom in a multi-family residential building regardless of the number of bedrooms in each unit. Our analysis of the parking supply and demand at 187 apartment buildings (including on-street parking) supports this change, which would remove the current disincentive to provide single-bedroom units in apartment buildings.

Proposed Change #2: Codify a Long-Standing Practice to Calculate Average Setbacks in Residential Zoning Districts

Summary

1. *The proposed change is to clarify a long-standing practice.*
2. *The result between calculating setbacks in the proposed way and the alternative is minor.*

Background

In certain residential districts, the required front yard is variable and is calculated as the average of the setbacks of all buildings on a block, except that the average is capped with a minimum and maximum value. In each district, except for R-1¹, the minimum required setback is 15 feet and the maximum is 25 feet. Currently if a development proposal includes demolishing an existing building on a lot, it is not explicitly stated in the Zoning Ordinance whether the existing (soon-to-be-demolished) building's setback should be used for the average setback calculation or whether the calculation should be made as if the building were already demolished.

The proposed change would clarify how the setback should be calculated, by adding a sentence based on a long-standing Zoning Ordinance interpretation that states, "In calculating the average setback...the setbacks for lot(s) to be redeveloped where demolition is anticipated should be calculated at 15 feet." Since 15 feet was the minimum required setback in all residential districts – except R-1 – at the time the interpretation was made, the proposed change states that to calculate the average setback for lots where demolition is anticipated, the setback would equal the minimum front yard required in the district.

Discussion

1. *The proposed change is to clarify a long-standing practice.*

Planning staff have been calculating setbacks in the proposed manner since 1986.² The proposed change would add language to the Zoning Ordinance to explain how average setbacks are calculated

1 In R-1, the minimum and maximum required setbacks are 25 and 60 feet, respectively.

2 In 1997, a footnote to Table VI-3: Table of Uses was changed to clarify how average setbacks are calculated. At the time, there had been a spate of variance requests to reduce the front yard setbacks to additions on existing homes, and staff proposed the change to make calculating setbacks in those cases more straightforward (ZBA-1996-V-03: to construct an addition; ZBA-1996-V-02: to construct a garage addition; ZBA-1995-GV-02: to construct an addition; ZBA-1993-V-01: to construct an addition; ZBA-1992-V-01: to construct an attached garage; ZBA-1990-V-04: to construct a garage; ZBA-1990-V-03: to construct a garage and addition.). The intent of the 1997 change was to clarify how to calculate average setbacks in cases where additions were proposed, not in cases where demolition was proposed.

in cases where demolition is proposed. This is meant to increase transparency and make the ordinance more understandable.

2. *The result between calculating setbacks using our long-standing method and by using the alternative method is minor.*

Many of the communications received regarding the proposed change expressed a desire to maintain appropriate setbacks in residential districts to maintain the character of neighborhoods. Staff understands the desire to preserve the character of neighborhoods; the proposed change will have virtually no effect on setbacks. As Tyler Fitch, Chair of the Urbana Plan Commission, observed at the Plan Commission meeting on December 7, 2017: the effect on determining the required setback for a lot by using the minimum setback (as proposed), rather than using the setback of an existing building, is negligible, since setbacks are capped at 25 feet in most districts. Tables 1 and 2 below illustrate this point.

In Table 1 below, Lot 1 is on a block with five (5) uniform lots, with five (5) houses on each lot all set back 40 feet from the right-of-way. In this example, it makes no difference how the setback for Lot 1 is calculated. While the average setback on the block is different, the *maximum required setback* in the district is capped at 25 feet, so Lot 1 would have a required setback of 25 feet.

Table 1: 40 foot setbacks

Calculated Using Existing Bldg. Setback				Calculated Using Min. Setback		
Lot #	Current Setback (ft.)	% of Block Face	Weighted Setback (ft.)	Calculated Setback (ft.)	% of Block Face	Weighted Setback (ft.)
1	40	20%	8.0	15	20%	3.0
2	40	20%	8.0	40	20%	8.0
3	40	20%	8.0	40	20%	8.0
4	40	20%	8.0	40	20%	8.0
5	40	20%	8.0	40	20%	8.0
Average Setback			40.0	Average Setback		35.0
Required Setback			25.0	Required Setback		25.0

In Table 2 below, Lot 1 is on a block with five (5) uniform lots, with five (5) houses on each lot all set back 25 feet from the right-of-way. In this example, the difference between using the existing setback for the calculation and the minimum front yard required in the district is only two feet.

Table 2: 25 foot setbacks

Calculated Using Existing Bldg. Setback				Calculated Using Min. Setback		
Lot #	Current Setback (ft.)	% of Block Face	Weighted Setback (ft.)	Calculated Setback (ft.)	% of Block Face	Weighted Setback (ft.)
1	25	20%	5.0	15	20%	3.0
2	25	20%	5.0	25	20%	5.0
3	25	20%	5.0	25	20%	5.0
4	25	20%	5.0	25	20%	5.0
5	25	20%	5.0	25	20%	5.0
Average Setback			25.0	Average Setback		23.0
Required Setback			25.0	Required Setback		23.0

Conclusion

The proposed change would have no effect on how average setbacks are calculated by staff in cases where demolition of a building is proposed. The change would add language to clarify how the average setback is calculated so that anyone reading the Zoning Ordinance would understand how the calculations are made.

Options

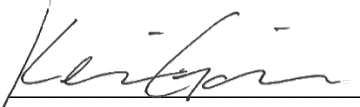
The Urbana City Council has the following options in this case:

1. Approve the proposed Zoning Ordinance text amendments as presented;
2. Approve the proposed Zoning Ordinance text amendments as modified by any specific suggested changes; or
3. Deny the proposed Zoning Ordinance text amendments.

Recommendation

At its December 7, 2017 meeting, the Urbana Plan Commission voted six (6) ayes to (1) nay to forward the case to the City Council with a recommendation to **APPROVE** the request. Staff likewise recommends approval.

Prepared by:



Kevin Garcia, AICP
Planner II

Attachments: A: Strikethrough Copy of Proposed Zoning Ordinance Changes (*relevant sections only*)
B: Communications
C: Memorandum: Policy on Calculation of Average Setback, May 15, 1986
D: Multi-Family Parking Study Summary
E: Plan Commission Minutes, 12/7/2017

ORDINANCE NO. 2018-01-004

AN ORDINANCE AMENDING URBANA ZONING ORDINANCE

(Multifamily Parking, Residential Setback Calculations)

WHEREAS, the City Council passed Ordinance No. 9293-124 on June 21, 1993, which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana (“City”), which is also known as the Urbana Zoning Ordinance (“Zoning Ordinance”); and

WHEREAS, the Zoning Ordinance has periodically been recodified and republished by the City to incorporate the numerous amendments that have been made since Ordinance No. 9293-124 was adopted; and

WHEREAS, the Zoning Administrator proposes to enact an omnibus Zoning Ordinance amendment as part of the process of editing the Zoning Ordinance to recodify and republish it; and

WHEREAS, the Zoning Administrator has submitted a petition to amend the Zoning Ordinance, which includes numerous miscellaneous editorial changes as part of the recodification and republishing of the Zoning Ordinance; and

WHEREAS, said petition was presented to the Plan Commission as Plan Case #2320-T-17; and

WHEREAS, after due publication in accordance with Section XI-7 of the Zoning Ordinance and Section 11-13-14 of the Illinois Municipal Code (65 ILCS 5/11-13-14), the Plan Commission held a public hearing on the petition on December 7, 2017; and

WHEREAS, the Plan Commission voted six ayes to one nay on December 7, 2017, to forward Plan Case #2320-T-17 to the City Council with a recommendation for approval of the proposed amendment; and

WHEREAS, the amendments described herein conform to the goals, objectives and policies of the 2005 Comprehensive Plan as amended from time to time; and

WHEREAS, after due and proper consideration, the City Council finds that amending the Zoning Ordinance as herein provided is in best interests of the residents of the City and is desirable for the welfare of the City’s government and affairs.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, as follows:

Section 1.

The following provisions of the Urbana Zoning Ordinance are hereby amended with the underlined text indicating new language and the strikethrough text indicating deletions as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference:

- A. Article VI, “Development Regulations,” Section VI-5, “Yards.”
- B. Article VIII, “Parking and Access,” Section VIII-5, “Amount of Parking Required.”

Section 2.

This Ordinance shall not be construed to affect any suit or proceeding pending in any court, or any rights acquired, or a liability incurred, or any cause or causes of action acquired or existing prior to the effective date of this Ordinance; nor shall any right or remedy of any character be lost, impaired, or affected by this Ordinance.

Section 3.

The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities, and this Ordinance shall be in full force and effect from and after its passage and publication in accordance with Section 1-2-4 of the Illinois Municipal Code.

This Ordinance is hereby passed by the affirmative vote, the “ayes” and “nays” being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED BY THE CITY COUNCIL this ___ day of _____, _____.

AYES:

NAYS:

ABSTAINED:

Charles A. Smyth, City Clerk

APPROVED BY THE MAYOR this ___ day of _____, _____.

Diane Wolfe Marlin, Mayor

Exhibit A: Proposed Zoning Ordinance Changes

Section VI-5. Yards

...

D. Front Yards

1. In the R-1, R-2, R-3, R-4, R-5, R-7, and MOR Districts, where lots comprising more than 40% of the frontage in a block are improved with buildings, not less than the average depth of the front yards of all lots in the block shall be maintained by all new buildings and by all alterations of existing buildings in the block, except that this provision shall not require a front yard of more than 60 feet; in the R-1 zone and 25 feet in the R-2, R-3, R-4, R-5, R-7, and MOR Districts nor less than the minimum required in the district in which they are located, nor shall it reduce the buildable dimension of the lot to less than 30 feet. For the purpose of computing such an average depth, vacant lots within such frontage shall be considered as having the minimum front yard required in that district. If a development proposal includes demolishing existing buildings, those lots shall be considered as having the minimum front yard required in that district.

...

...

Section VIII-5. Amount of Parking Required

...

TABLE VIII-7. PARKING REQUIREMENTS BY USE

Use	Number of Spaces Required
Efficiency, One or Two Bedroom Multiple-Family Dwelling Unit	No less than 1 for every dwelling unit
Three Bedroom Multiple-Family Dwelling Unit	1.5 for every dwelling unit
Four Bedroom Multiple-Family Dwelling Unit	2 for every dwelling unit
More Than Four Bedroom Multiple-Family Dwelling Unit	2.5 for every dwelling unit
Multiple-Family Dwelling Unit	0.5 for every bedroom, minimum of 0.5 for every dwelling unit

~~Notes: The intent for multi-family dwellings is to provide parking at a rate of one-half space per person. However, in no case shall a dwelling unit have less than one parking space.~~

COMMUNICATIONS RECEIVED FOR PLAN CASE No. 2320-T-2017

Allen, Mary Beth dated 12-07-2017 @ 2:51 pm
Debevec, Paul dated 12-07-2017 @ 2:46 pm
Katz-Downie, Deborah dated 12-07-2017 @ 4:14 pm
Katz-Downie, Deborah dated 12-07-2017 @ 11:07 pm
McEvoy, Sarah and Sehitoglu, Huseyin dated 12-09-2017 @ 8:11 pm
McGuire, Mary Pat dated 12-06-2017 @ 11:13 am
Mead, Becky dated 12-07-2017 @ 8:13 pm
Moulin, Pierre dated 12-07-2017 @ 3:48 pm
Patt, Esther dated 12-04-2017 @ 3:40 pm
Steinberg, Lois dated 12-07-2017 @ 3:09 pm
Rusch, Adam dated 12-08-2017 @ 10:01 am

From: Allen, Mary Beth
To: [Andel, Teri](#); [Garcia, Kevin](#); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; fitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: mpmcguire00@gmail.com; [wuna-list](#)
Subject: Plan Case 2320-T-17
Date: Thursday, December 07, 2017 2:51:30 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Mary Beth Allen

Exhibit B - Communications

From: Debevec, Paul
To: mPMCguire00@gmail.com; [Andel, Teri](#); [Garcia, Kevin](#); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: [wuna-list](#)
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 2:46:50 PM
Attachments: [Plan commission_12072017.pdf](#)

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed changes are not for the better. Thank you for your attention to this matter.

Regards, Paul Debevec



PAUL T. DEBEVEC
708 W. CALIFORNIA ST.
URBANA, IL
61801-3912
217-337-4752



December 7, 2017

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I am certainly not able to evaluate in detail the proposed change in the zoning regulations for setbacks described in Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17. I do believe that the current language is not adequate, and it appears to me that the proposed change is not for the better. All new and recent construction of multi-unit dwellings in my neighborhood are pushed much closer to the street. A tape measure is not needed to make this evaluation. Please find below photos of three examples. The red arrow shows how much closer the new construction is to the street compared to older adjacent structures. These are not engineering drawings, but they illustrate the point. Current setback regulations are insufficient. Nothing in the proposed change is for the better. Thank you for your attention to this matter.

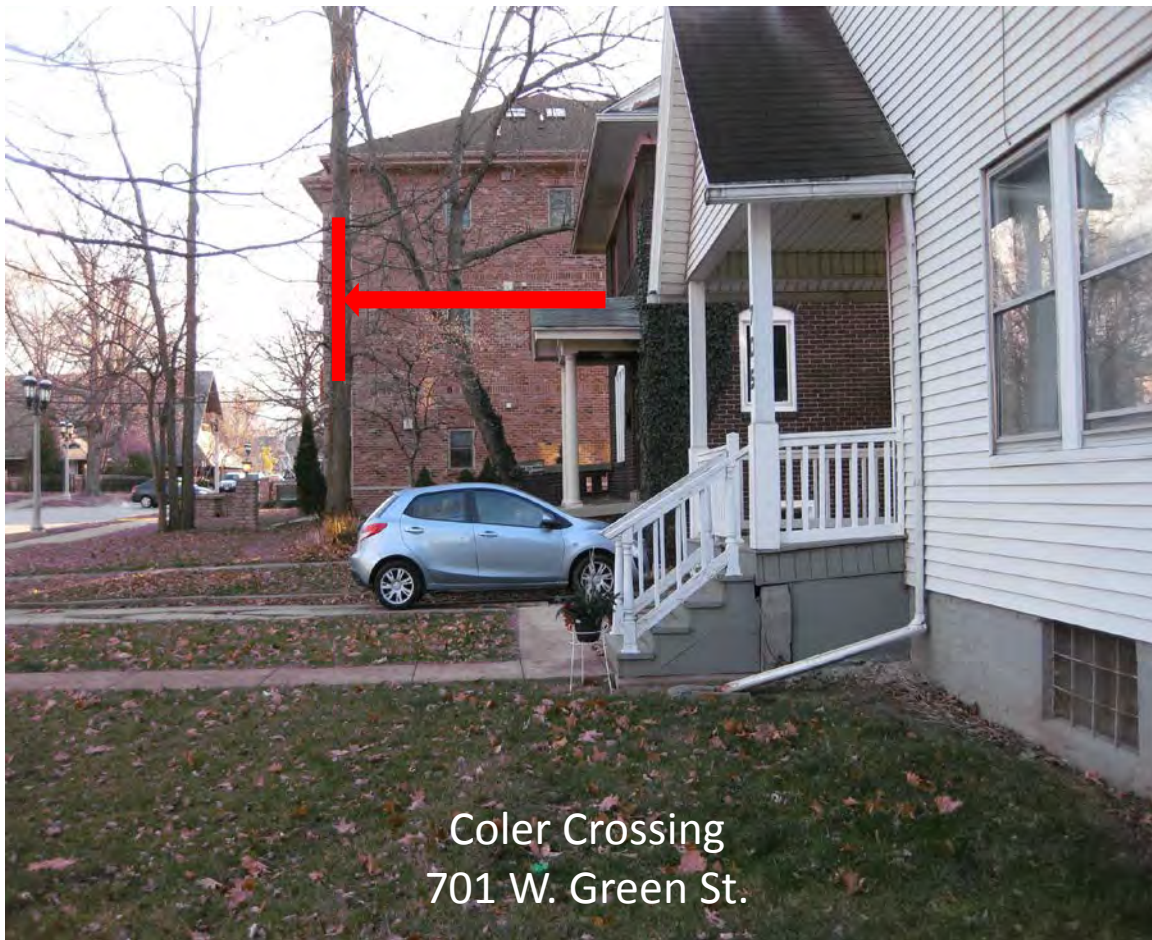
Sincerely,

A handwritten signature in black ink that reads "Paul T. Debevec".





Recent construction at
708, 710 W. Green St.



Coler Crossing
701 W. Green St.

From: dkatzdow@life.illinois.edu
To: debevec@illinois.edu; mpmcquire00@gmail.com; [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Cc: wuna-list@googlegroups.com
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 4:14:04 PM
Attachments: [Plan commission_12072017.pdf](#)

Hello,

As Mary Pat Mcguire pointed out in an email 'setbacks are an important urban design principle, creating the visual continuity of great streets throughout neighborhoods and downtown. The setback distance is also important for planting, in particular, in order for canopy trees to mature properly, they need as much continuous soil-and-root volume as possible.'

Her points as to why setbacks are important are clearly illustrated from Paul Debevec's attached photos. Therefore, in order to maintain our current property values and our neighborhood as a desirable place to live, work and send our kids to school, I agree with Mary Pat to revise the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Thank you,

Deborah S. Katz-Downie
209 W Delaware Ave
Urbana, IL 61801

----- Original Message -----

Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
From: "Debevec, Paul" <debevec@illinois.edu>
Date: Thu, December 7, 2017 2:46 pm
To: mpmcquire00@gmail.com
"Andel, Teri" <tmandel@urbanailinois.us>
kjgarcia@urbanailinois.us
[bjackson@hotmail.com](mailto:bjackerson@hotmail.com)
jane@janebillman.com
Esarey@gmail.com
andrewfell@comcast.net
tfitch71v@gmail.com
ldhopkins@sbcglobal.net
dave.trail@gmail.com
danturner13@gmail.com
Cc: "wuna-list" <wuna-list@googlegroups.com>

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changes are not for the better.Â Thank you for your attention to this matter.

Regards, Paul Debevec

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From: dkatzdow@life.illinois.edu
To: [Marx Christopher](#); [Pearson, Lorrie](#); [Ricci, Marcus](#); debevec@illinois.edu; mpmcguire00@gmail.com; [Andel, Teri](#); [Garcia, Kevin](#); bjackerson@hotmail.com; jane@janebillman.com; esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; [wuna-list](#)
Cc: estherpatt@hotmail.com
Subject: Correction re Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 11:07:11 PM
Attachments: [Plan commission_12072017.pdf](#)

Hello,

I am sending this email to make sure that it is recorded as part of the official record for the meeting regarding Plan Case 2320-T-17.

As Mary Pat McGuire pointed out in an email 'setbacks are an important urban design principle, creating the visual continuity of great streets throughout neighborhoods and downtown. The setback distance is also important for planting, in particular, in order for canopy trees to mature properly, they need as much continuous soil-and-root volume as possible.'

Her points as to why setbacks are important are clearly illustrated from Paul Debevec's attached photos. Therefore, in order to maintain our current property values and our neighborhood as a desirable place to live, work and send our kids to school, I agree with Mary Pat to revise the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Thank you,

Deborah S. Katz-Downie
209 W Delaware Ave
Urbana, IL 61801

----- Original Message -----

Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
From: "Debevec, Paul" <debevec@illinois.edu>
Date: Thu, December 7, 2017 2:46 pm
To: mpmcguire00@gmail.com
"Andel, Teri" <tmandel@urbanailinois.us>
kjgarcia@urbanailinois.us
bjackerson@hotmail.com
jane@janebillman.com
Esarey@gmail.com
andrewfell@comcast.net
tfitch71v@gmail.com
ldhopkins@sbcglobal.net
dave.trail@gmail.com
danturner13@gmail.com
Cc: "wuna-list" <wuna-list@googlegroups.com>

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to

the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed changes are not for the better. Thank you for your attention to this matter.

Regards, Paul Debevec

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PAUL T. DEBEVEC
708 W. CALIFORNIA ST.
URBANA, IL
61801-3912
217-337-4752



December 7, 2017

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I am certainly not able to evaluate in detail the proposed change in the zoning regulations for setbacks described in Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17. I do believe that the current language is not adequate, and it appears to me that the proposed change is not for the better. All new and recent construction of multi-unit dwellings in my neighborhood are pushed much closer to the street. A tape measure is not needed to make this evaluation. Please find below photos of three examples. The red arrow shows how much closer the new construction is to the street compared to older adjacent structures. These are not engineering drawings, but they illustrate the point. Current setback regulations are insufficient. Nothing in the proposed change is for the better. Thank you for your attention to this matter.

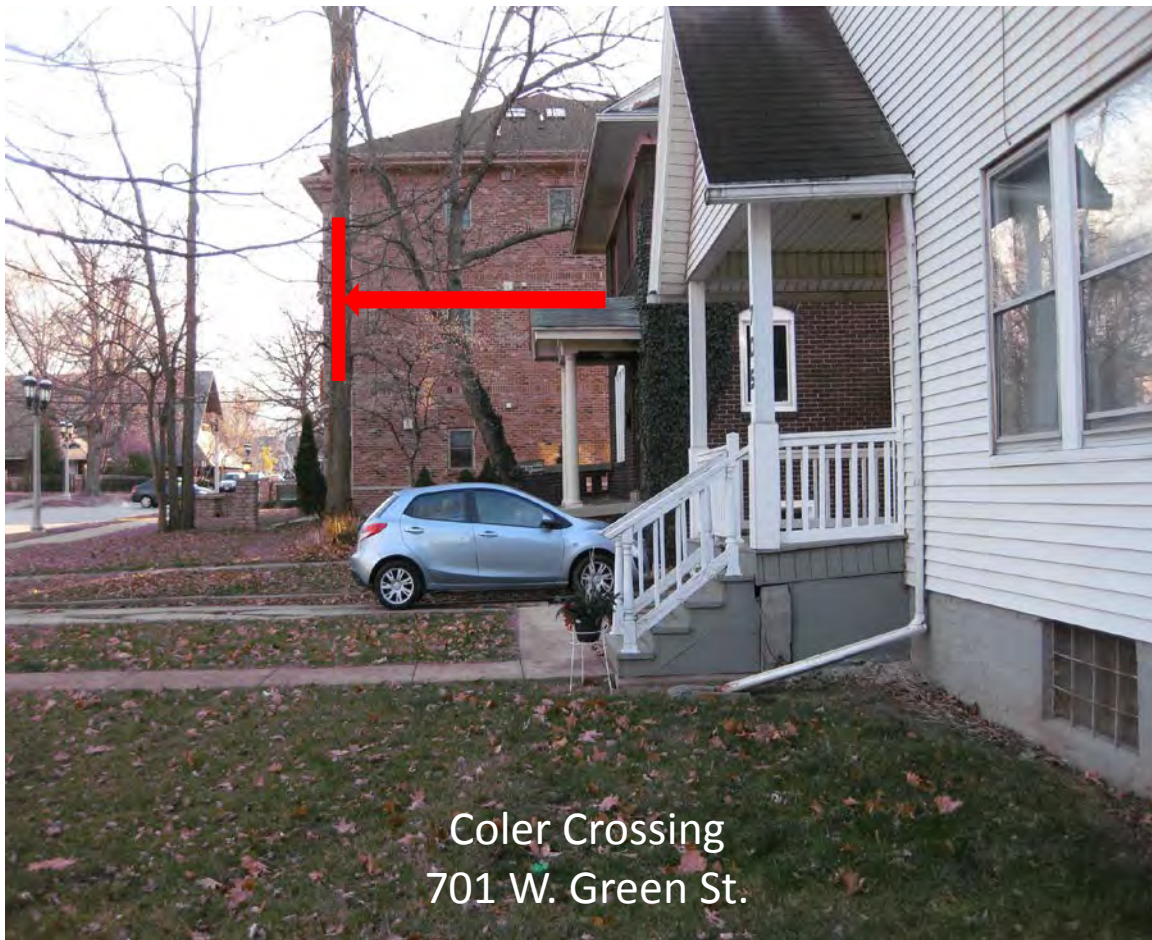
Sincerely,

A handwritten signature in black ink that reads "Paul T. Debevec".





Recent construction at
708, 710 W. Green St.



Coler Crossing
701 W. Green St.

From: Sarah McEvoy
To: mballen@illinois.edu
Cc: [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); bjackson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; mpmcguire00@gmail.com; wuna-list
Subject: Re: [wuna-list] Plan Case 2320-T-17
Date: Saturday, December 09, 2017 8:11:24 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

We agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and we urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) our agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Sarah McEvoy and Huseyin Sehitoglu
805 W. Michigan Ave.

On Thu, Dec 7, 2017 at 2:50 PM, Allen, Mary Beth <mballen@illinois.edu> wrote:

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read:

"If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Mary Beth Allen

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From: MaryPat McGuire
To: [Andel, Teri](#); [Garcia, Kevin](#); bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; fitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: wuna-steering@googlegroups.com; [wuna-list](#)
Subject: Letter re Plan Case 2320-T-17
Date: Wednesday, December 06, 2017 11:13:57 AM
Attachments: [UPC_ZoningOmnibus_responseletter20171206.pdf](#)

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please include (and enter into the record) attached letter in response to the proposed changes to the Urbana Zoning Ordinance development regulations.

In particular, I draw your attention to my comments regarding the issue of setback calculation, and recommendation on page 2 of my letter to consider the following language:

Therefore, I recommend that the last sentence of Article VI-5E read:
If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

Thank you,

Mary Pat McGuire

December 6, 2017

Re: Zoning Ordinance Omnibus Text Amendment - Case 2320-T-17

Dear Urbana Plan Commissioners,

As residents of Urbana, we have been asked to comment on the proposed changes to the Zoning Ordinance. My comments below address Development Regulations pertaining to basements, setback requirements and screening.

BASEMENTS and FAR:

In Article VI-4A.2, I think we need to consider additional language in this article, such that to be considered a basement, the floor must be entirely submerged/below-grade. The reason is that basement apartments (sometimes called “garden”) apartments, are often partially below and partially above grade, and in these situations, should not be excluded in the FAR.

Please consider language that will make this designation clear: to be counted as a basement, whether the floor must be completely below grade.

SETBACKS:

In Article VI-5E.1, “vacant” is not the right terminology for a condition where a building will be demolished and replaced with another building. As such, the amendment doesn’t make sense: first, the parcel is not in fact vacant, and second, relative to preserving continuity of the block, the pre-existing structure presumably was “in line” with other buildings on that block. Therefore, to allow the minimum setback to be used for a parcel that has an existing structure undermines the pre-existing condition for the entire block. Below I provide two urban planning and design reasons, and make a recommendation.

Reason #1: “Vacant” is not the right terminology

According to standard usage in development and planning, vacant land is land that has been sitting in that condition for some time. It represents a property that has fallen off the books, and often shows signs of neglect. Vacant land is an epidemic. It unfortunately occurs more often in lower-income areas, and is a well documented issue in cities. It’s an actual land-use designation. The City of Chicago, for example, uses this as a designation of land by parcel; you may search for vacant land on their land-use inventory; I mention this because it is a State of Illinois example. Vacant is not a short lived phenomenon, (e.g. when a developer demos a building and the site is temporarily without structure between demo and construction - this is false use of the term vacant, the site is technically and legally “under construction”). *“Vacant” is not up for debate or interpretation, or appropriate in its flippant use to justify reduced development standards in a built neighborhood or community.*

Reason #2: Setbacks should be based on good urban design principles

The creation and adherence to setbacks should be predicated on good, consistent urban design sense. They should be based on block type, building type, density, urban landscape objectives, street widths, street use, and so forth. There is copious urban design and planning research documentation on the importance of setback to foster city and street quality. Our city planning department could consult this research, and incorporate its guidance in considering setbacks for

Urbana. Good cities and good neighborhoods are based on good design. Setbacks should not be recalculated every time, nor should they automatically adhere to the minimum. *The more that we allow the minimum of everything, we continue to erode the quality of our blocks, streets and neighborhoods.*

Therefore, I recommend that the last sentence of Article VI-5E.1 read:

If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

SCREENING

In **Article VI-6**, the proposed changes are of an entirely grammatical nature. Yet, the effort to revise this section was also an opportunity to evaluate whether the guidelines themselves are also up to date. I recommend that city planning staff revisit this part of the Zoning Ordinance to bring Urbana up to date with sustainable landscape guidance. For example, this would include the planting of more trees, the reduction or elimination of lawn, and the development of more stringent tree preservation regulations.

Thank you for considering my comments.

Sincerely,

*Mary Pat McGuire
804 W Nevada Street
Urbana IL 61801*

From: Becky Mead
To: [Garcia, Kevin](#); [Andel, Teri](#)
Subject: Plan Case 2320-T-17
Date: Thursday, December 07, 2017 8:13:19 PM

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

I agree completely with Mary Pat McGuire's analysis of the issue of setback calculation, and I urge you to accept her recommendation of language for the last sentence of Article VI-5E. Specifically, she recommends that the Plan Commission consider revising the last sentence of Article VI-5E to read: "If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block."

Please include (and enter into the record) my agreement with her response to the proposed changes to the Urbana Zoning Ordinance development regulations.

Thank you,
Becky Mead

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For more options, visit <https://groups.google.com/d/optout>.

From: pierremoulin007@gmail.com
To: wuna-steering@googlegroups.com
Cc: [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); [bjackson@hotmail.com](mailto:bjackerson@hotmail.com); jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Subject: Re: [wuna-steering] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 3:48:28 PM

Dear Plan Commissioners and Mrs. Andel,

I fully support Mary-Pat McGuire recommendation about setbacks:

If a development proposal includes demolishing existing structure(s), **the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.**

Erosion of setbacks would not only be detrimental to the neighbors of the new buildings, this would also substantially degrade the unique appeal and beauty of our neighborhood, and would be inconsistent with the goals described in the Comprehensive Plan.

Sincerely,
Pierre Moulin

On Wed, Dec 6, 2017 at 11:13 AM, MaryPat McGuire <mpmcguire00@gmail.com> wrote:
Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please include (and enter into the record) attached letter in response to the proposed changes to the Urbana Zoning Ordinance development regulations.

In particular, I draw your attention to my comments regarding the issue of setback calculation, and recommendation on page 2 of my letter to consider the following language:

Therefore, I recommend that the last sentence of Article VI-5E read:
If a development proposal includes demolishing existing structure(s), the setback(s) of the existing structure(s) shall be included in the calculation of the average setback for that block.

Thank you,

Mary Pat McGuire

--

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To view this discussion on the web visit <https://groups.google.com/d/msgid/wuna-steering/CAOtxwDOnK9Fa-%2BVfaQWnqtMD2DEkhXZVZcEufxkcOy1UNmBH%3Dg%40mail.gmail.com>.

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Exhibit B - Communications

From: Esther Patt
To: [Andel, Teri](#)
Cc: bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; [Andrew Fell - Andrew Fell Architecture and Design \(andrewfell@comcast.net\)](#); tfitch71v@gmail.com; dave.trail@gmail.com; danturner13@gmail.com; [Lew Hopkins](#); [Marlin, Diane](#)
Subject: Plan Case No. 2320-T-17: An application by the Urbana Zoning Administrator for "minor changes"
Date: Monday, December 04, 2017 3:40:51 PM
Attachments: [Parking Space Chart.docx](#)

Dear Urbana Plan Commission members:

I am unable to attend the December 7 Plan Commission meeting in person and ask that this message be included in the public comment for Plan Case 2320-T-17 to express my opposition to the provision in that case to cut in half the required parking for 1 bedroom apartments in multi-family structures.

Although the staff memo describes the many changes in this plan case as "minor," the proposed 50% reduction in the amount of required parking is a major change to development regulations that will significantly impact the availability of on-street parking in an area of Urbana where we already have a serious parking congestion problem.

I ask that you please remove from the Plan Case the change to Article VIII-7. Parkin and Access table, and send it back to the staff for further study.

If the City is going to change the parking requirement for 1 bedroom units, the City should study 1 bedroom units in each area near campus (showing results separately for east of Lincoln and west of Lincoln).

The staff should also survey tenants of 1 bedroom apartments (more than a few of which have 2 tenants) and not just the landlords. Landlords can only report how many of their tenants pay them for parking, not how many parking on the street. Tenants can tell you how many cars they each park either on the street or in an off-street space.

You may recall that one year ago, I spoke before the Plan Commission about parking needs in the first few blocks east of Lincoln Avenue. I've attached the chart I showed to you at the time. I surveyed 8 blocks that had multiple apartment buildings and combined the number of off-street parking spaces and overnight, on-street parking permits purchased on each block.

I found a ratio of .52 to .67 for every block except on one block that has mostly 1 bedroom units. On that block (700 block of Nevada), there were 28 bedrooms and 28 cars either parked off-street or on-street with a permit, a ratio of 1.0.

The staff surveyed landlords of campus area apartments that have studio, 1, 2, 3 and 4 bedroom units in order to come to their conclusion that for 4,363 bedrooms, 1,847 spaces

were leased and 54 permits were purchased by residents, yielding a ratio of 0.423 spaces per bedroom.

This survey is not valid for the purpose of changing the parking requirement for 1 bedroom units because:

1 - it surveyed all housing types: 1, 2, 3 and 4 bedroom units to get the 0.423 ratio, not just 1 bedroom units;

2 - it did not count all the on-street parking north of Green Street or west of Lincoln Avenue for which a person does not need to purchase a permit; and,

3 - the count for permits is likely incorrect because staff reported 54 total permits for the entire area near campus but on just 8 blocks I counted 48 permits purchased by residents (800 and 700 blocks of Green, 300 and 500 blocks of Busey, 800 block of Illinois, 800 block of Oregon and 800 block of Iowa and 700 block of Nevada); there were definitely more than 6 additional permits purchased on all of the other blocks in the neighborhood that have apartments.

Car ownership rate for people renting in the campus area west of Lincoln is probably lower than those renting east of Lincoln due to the age difference of the two populations. Most important, the rate of car ownership for people in 2, 3 and 4 bedroom apartments has always been lower than for 1 bedroom units. How much lower? The staff study did not examine that.

I know staff wants this change to accommodate developers, but accommodating the needs of residents -- both tenants and homeowners, should also be a consideration for city officials. A proper study of 1 bedroom units might well show that 1 space per apartment is more than needed; however, the need might well be .8 spaces or .75 spaces or .67 spaces that are needed, not .5.

This change will have a serious impact on tenants in all areas and on homeowners in the first three blocks east of Lincoln for the mile from Main Street south to Florida. I think it warrants more careful study focused on the actual question of the parking needs for 1 bedroom units.

Please do not approve this change but send it back for more study.

Thank you,

Esther Patt
706 S. Coler Avenue
Urbana IL 61801
217-344-8394

Exhibit B - Communications

Location	Number of Bedrooms	Number of Off-Street Parking Spaces	Number of Overnight, On-Street Parking Permits Purchased FY 17	Percent of Cars to Bedrooms
800 Oregon	50	20 40% of bedrooms	6	26 cars for 50 bedrooms: 52%
812 W. Iowa	24	16 (8 spaces each hold 2 cars, one behind the other)	N/A 2 permit holders on that block but they might live at a different property	16 cars for 24 bedrooms: 67%
700 Nevada (22 are 1 bedroom, unfurnished apts.)	28	19 68% of bedrooms	9	28 cars for 28 bedrooms: 100%
800 Illinois	146	88 60% of bedrooms	3	91 cars for 146 bedrooms: 62.3%
700 & 800 Green and 300 Busey (805, 709, 701 W. Green & 302,303, 304 S. Busey)	207	88 42.5% of bedrooms	24	112 cars for 207 bedrooms : 54%
500 Busey	72	34 47.2% of bedrooms	4	38 cars for 72 bedrooms: 53%

From: Rusch, Adam P
To: bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com
Cc: [Andel, Teri](#); [Garcia, Kevin](#); [Pearson, Lorrie](#)
Subject: Re: Plan Case 2320-T-17 and future related cases
Date: Friday, December 08, 2017 10:01:43 AM

To the Plan Commissioners,

I believe it is in the best interest of the City of Urbana to have a unified, clear, and progressive construction policy for community redevelopment.

In regards to the section of the planning code that handles setbacks, I am strongly in favor of the clarification of rules as they were proposed by our City Staff and have been effectively implemented for the past 30 years. Any development that includes demolition of an existing structure should follow the current setback rules - as if the lot were vacant.

Best Regards,

Adam Rusch
212 W California Ave
Urbana, IL

Adam P. Rusch
Email: arusch2@illinois.edu
Web: <http://adam.rusch.me>
PhD Candidate, University of Illinois at Urbana-Champaign
Department of Education Policy, Organization & Leadership

From: Lois Steinberg
To: debevec@illinois.edu
Cc: mpmcguire00@gmail.com; [Andel, Teri](mailto:Andel_Teri); [Garcia, Kevin](mailto:Garcia_Kevin); bjackerson@hotmail.com; jane@janebillman.com; Esarey@gmail.com; andrewfell@comcast.net; tfitch71v@gmail.com; ldhopkins@sbcglobal.net; dave.trail@gmail.com; danturner13@gmail.com; wuna-list
Subject: Re: [wuna-list] Letter re Plan Case 2320-T-17
Date: Thursday, December 07, 2017 3:09:58 PM

I agree with Paul Debevec. The setback should not be eroded.

Lois Steinberg

On Thu, Dec 7, 2017 at 9:46 PM, Debevec, Paul <debevec@illinois.edu> wrote:

Dear Urbana Plan Commissioners, Teri Andel, and Kevin Garcia,

Please consider the attached letter in regard to the proposed changes to the Urbana Zoning Ordinance development regulations. In my neighborhood recent construction of multi-unit structures have been pushed closer to the street. Setback regulation is not adequate, and the proposed changes are not for the better. Thank you for your attention to this matter.

Regards, Paul Debevec

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CITY OF URBANA
DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES

MEMORANDUM

TO: Policy Book

FROM: Bruce K. Walden, Administrator
Department of Community Development Services

DATE: May 15, 1986

RE: POLICY ON CALCULATION OF AVERAGE SETBACK

In calculating the average setback for R-1 through R-4 properties, the following should be followed:

1. The setback for lot(s) to be redeveloped where demolition is anticipated should be calculated at 15 ft.
2. The average setback shall only include lots for which an average setback is required. Where other setbacks are applicable, such minimum setbacks shall be utilized in the average regardless of actual setback.
3. Measurements shall be made from the face of the building or from a porch if roofed.


Bruce K. Walden

BKW:dr

2017 Multi-Family Campus-Area Residential Parking Survey

What & Where: Survey of MULTI-FAMILY RESIDENTIAL Buildings Near Campus

Why: To understand PARKING SUPPLY and PARKING DEMAND near campus

How: Contacted 272 Properties; 187 Responses

Who: Planning Division + Many Helpful Property Owners

69% survey response rate

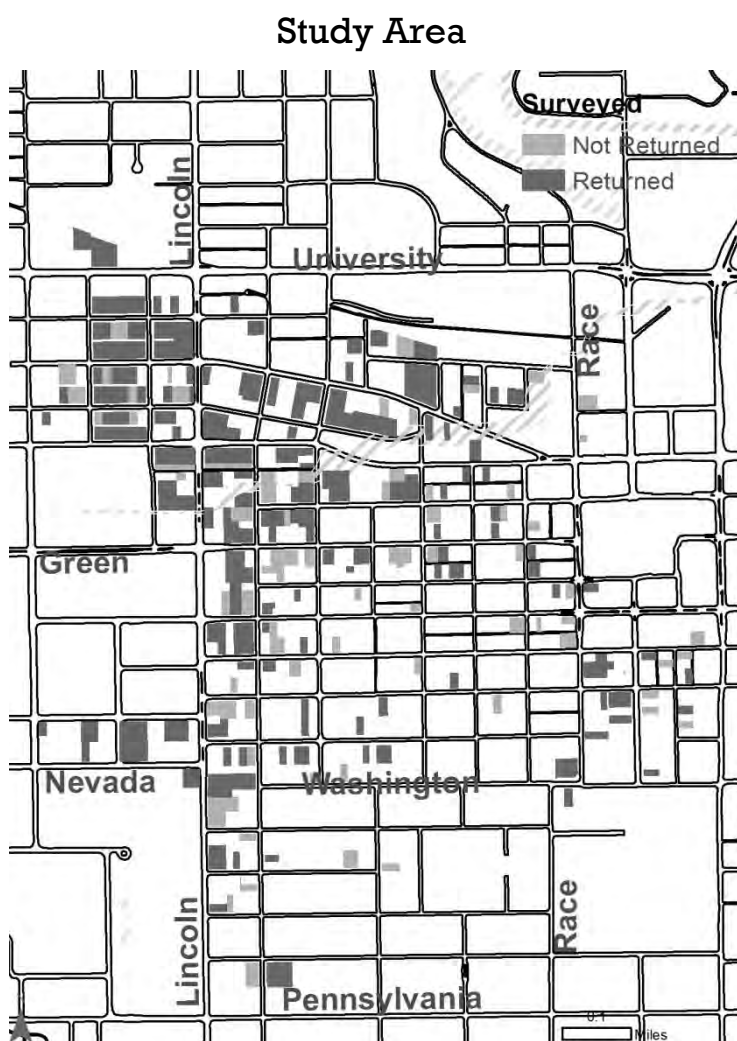
193 buildings

2,546 units

4,363 bedrooms

0.42 parking spaces leased per bedroom

386 surplus parking spaces



Parking Supply

Parking Demand

Multifamily Parking Survey Results

Survey of Building Owners and Property Managers %

# of Properties Contacted	272	
# of Responses	187	69%

Building and Unit Mix (Surveyed Buildings Only)

# of Buildings	193		
# of Units	2,546		
# of Bedrooms	4,363		
# of Single-Bedroom Units	1,009	23%	
# of BR in Non-Single BR Units	3,354	77%	

Parking Supply

# of Off-Street Parking Spaces	2,472	98%
# of On-Street Parking Spaces*	54	2%
Total Supply	2,526	

*Available only with purchase of on-street parking permit.

Parking Demand % of Provided

# of Parking Spaces Leased by Residents	1,847	73%
# of Parking Spaces Leased by Non-Residents	239	9%
# of On-Street Permits Purchased by Residents	54	2%
Total Demand	2,140	85%
Surplus Supply	386	15%

Parking Spaces Provided per Bedroom**

Leased by Residents	0.42
Leased by Non-Residents	0.05
Total	0.49

** Required: 1 for Single BR units, 0.5 per BR for Multi-BR units

Parking Space Costs (per year)

Minimum	\$	120	***
Maximum	\$	990	
Average	\$	510	
On-street parking permit in WUNA	\$	150	

***When not included in apartment lease.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

APPROVED

DATE: December 7, 2017

TIME: 7:30 P.M.

PLACE: Urbana City Building
Council Chambers
400 South Vine Street
Urbana, IL 61801

MEMBERS PRESENT: Barry Ackerson, Jane Billman, Andrew Fell, Tyler Fitch, Lew Hopkins, David Trail, Dan Turner

MEMBERS EXCUSED: Nancy Esarey Ouedraogo

STAFF PRESENT: Lorrie Pearson, Planning Manager; Kevin Garcia, Planner II; Teri Andel, Administrative Assistant II

OTHERS PRESENT: Adam Rusch

1. CALL TO ORDER, ROLL CALL AND DECLARATION OF QUORUM

Chair Fitch called the meeting to order at 7:32 p.m. Roll call was taken and a quorum was declared present.

2. CHANGES TO THE AGENDA

There were none.

3. APPROVAL OF MINUTES

The minutes from the October 5, 2017 regular meeting were presented for approval. Mr. Fell moved to approve the minutes as presented. Mr. Trail seconded the motion. The minutes were approved by unanimous voice vote as written.

The minutes from the October 12, 2017 special meeting were presented for approval. Mr. Ackerson moved to approve the minutes as presented. Mr. Fell seconded the motion. The minutes were approved by unanimous voice vote as written.

4. COMMUNICATIONS

Email communications were received regarding Plan Case No. 2320-T-17 from the following people:

- Mary Beth Allen
- Paul Debevec
- Mary Pat McGuire
- Pierre Moulin
- Esther Patt
- Lois Steinberg

5. CONTINUED PUBLIC HEARINGS

There were none.

6. OLD BUSINESS

There was none.

7. NEW PUBLIC HEARINGS

Plan Case No. 2320-T-17 – An application by the Urbana Zoning Administrator to amend the Urbana Zoning Ordinance with minor changes to Article II (Definitions), Article V (Use Regulations), Article VI (Development Regulations), Article VIII (Parking and Access), Article IX (Signs), Article XI (Administration), Article XII (Historic Preservation) and Article XIII (Special Development Provisions).

Chair Fitch opened this item on the agenda. Kevin Garcia, Planner II, introduced this case to the Plan Commission. He reviewed the proposed changes to the Urbana Zoning Ordinance.

Chair Fitch asked the Plan Commission members if they had any questions for City staff.

Chair Fitch questioned City staff whether the regulations for vehicle signs would apply to the Mass Transit District (MTD) buses. Mr. Garcia replied no because MTD's main purpose is to provide public transportation. So, the advertising on the buses would be considered secondary.

Mr. Ackerson asked for an example of when more than one principal use might be allowed. Mr. Garcia replied that if an owner of a building in the CCD (Campus Commercial) zoning district wanted to have a bakery and a coffee shop, the owner would be required to obtain approval of a conditional use permit. If both uses are allowed by right as principal uses, then why should they have to seek approval of a conditional use permit to allow both uses at the same time.

Mr. Fell understood the intent of the amended language for the MOR District to not apply to a new building. On page 5, Section V-8.C lists what could be administratively reviewed, but it does not mention that it applies to existing buildings. He suggested adding "existing" to the language. Lorrie Pearson, Planning Manager, felt this change would be acceptable to make the Zoning Ordinance clear on its intent.

Mr. Trail wondered at what point would a sizeable bumper sticker on a vehicle become a vehicle sign. Mr. Garcia responded that it would not be considered a vehicle sign.

Mr. Fell wondered how the City would enforce prohibiting vehicle signs. Mr. Garcia replied that the police could pull the driver over and tell them they are not allowed to drive the sign around in the City of Urbana. Ms. Pearson added that if a vehicle with a sign in it was parked at a location regularly, City staff could send the property owner a violation notice.

Mr. Ackerson questioned what the definition of a vehicle sign would be. Ms. Pearson replied that it is a vehicle with a sign and the driver drives around the City with the sole purpose to advertise. They are not delivering a product to a business or client. Mr. Hopkins recommended that they defer this topic to the discussion portion of the hearing.

With no further questions for City staff, Chair Fitch briefly reviewed the procedures for a public hearing. He opened the hearing up for public input.

Adam Rusch approached the Plan Commission to speak. He stated that vehicle signs are usually small trucks with a billboard on the back of the truck. The driver will drive around certain areas to advertise what is on the billboard. He did not know if the City would be able to regulate these vehicles driving on the streets; however, the City could determine whether or not to regulate these vehicles being parked in front of locations.

With no further public input, Chair Fitch closed this portion of the hearing and opened it up for Plan Commission discussion and/or motion(s).

The Plan Commission members reviewed and discussed issues with some of the proposed changes that were expressed in the written communications received. The topics of concern are listed below.

VEHICLE SIGNS

Mr. Fell felt there should be more language clarifying on what a vehicle sign is. From the way the proposed language reads, they would not be able to have the Red Bull truck or the Oscar Meyer Weiner mobile at the Sweetcorn Festival. Mr. Garcia said that while they do advertise, he did not believe that was the sole purpose of the proposed text amendment prohibiting vehicle signs.

Mr. Trail questioned whether the City could regulate a properly licensed vehicle driving within the laws of the road. He wondered what City staff was trying to regulate? Mr. Garcia explained that they were only trying to address an issue before it becomes an issue. City staff heard at a conference regarding signs from other cities in the State of Illinois about how vehicle signs have become an issue.

Chair Fitch noticed that in order to get a sign, one must apply for a permit. Would someone need a permit to drive a vehicle sign around town? Mr. Trail asked if a U-Haul truck would be considered a vehicle sign. Mr. Fitch believed U-Haul would be considered a contractor with a sign on the side of the truck.

Mr. Hopkins felt that this specific amendment was not considered minor. He understood these types of signs to be billboards being towed behind pickup trucks. This has been happening in the City of Urbana for a long time. If this is what they are talking about regulating, then he recommended regulating them similar to the way the City regulates billboards. It would give the City legal backing to regulate them.

Chair Fitch suggested that the Plan Commission remove this section from the proposed text amendment and consider it in the future as a text amendment of its own. The other Plan Commission members agreed.

SETBACKS

Mr. Fell believed that there should be some additional language added to clarify the intent of the proposed changes. Mr. Garcia agreed and suggested that the language in the proposed last sentence of Section VI-5.E.1 to read as such, *"If a development proposal includes demolishing existing buildings, those lots shall be calculated at a minimum setback for that district."* Mr. Fell felt it should be calculated at the setback of the existing structure. There are times when the existing building is closer than the minimum setback, in which case it inverts the intent of what the proposed language is trying to do. Mr. Garcia explained that this was a zoning interpretation from 1986 that City staff has been practicing and now would like to clarify in the Zoning Ordinance.

Mr. Hopkins felt that they should either include the proposed language because it is current practice or they should decide it should not be current practice and change it. Mr. Trail commented that past practice may be an argument but it should not be what determines the Ordinance to be. This is a way for the City to decide if they want a greater infill density or if they want to lean away from a greater infill density. Mr. Hopkins believed that it would be reasonable to calculate the setback at a minimum for that zoning district, but that they should acknowledge that they are doing it.

Mr. Ackerson agreed there is a rationale for practicing it the way it has been. He is for being open and up front about what they are doing and why. The City does not want to tie a property owners hands concerning development, and we do not want lots sitting vacant for a specified period of time just so they can be deemed vacant. We want to be able to encourage infill development.

Chair Fitch agreed that the front yard setback should be calculated at a minimum for that district. It would only be a matter of a couple of feet if calculated at the setback of the existing structure. Mr. Garcia added that they would be looking at the average of the setbacks on the block. Each house will be somewhere between 15 feet to 25 feet. The more houses on the block, the less change it creates. Ms. Billman pointed out that this may be true for houses, but what about apartment buildings that have more of an impact. Mr. Fitch said that it depends on the characteristics of the neighborhood, block by block.

PARKING

Mr. Ackerson said that he never understood why the City treated one-bedroom apartments from 2+ bedroom apartments. It creates a disincentive to construct one-bedroom apartment buildings. Mr. Hopkins responded that one-bedroom apartments are not generally occupied by one person in certain areas of the City and usually one of the people living in a one-bedroom apartment has a car. He expressed concern about applying a regulation that would be appropriate for one area to the entire City. He believed they should come up with a way to enable one-bedroom apartments in large complexes.

Mr. Fell commented that it is a market driven algebra problem. A developer will put in the amount of parking he needs for his development according to where it is located. A developer is constructing one now that will have no parking because it is located right in the middle of campus. The same developer is constructing a project three miles from campus and will probably have one parking space per bedroom. The amount of parking provided falls on the responsibility of the developer to be able to lease out his apartments. If he does not have parking, then he would not be able to lease the units if the tenants need vehicles. Therefore, he does not see an issue with the proposed change in parking requirements.

Ms. Billman did not see how this argument would hold true because renters would just park on the street. Is not this the problem in the West Urbana area? Mr. Trail replied that it depends on the available transit options and the location of services. The developer will put in more parking if the people demand it, and the people demand it based on many things other than just zoning. He did not see where the proposed change would make a huge difference.

FLOOR AREA RATIO/BASEMENTS

Mr. Fell advised that they be careful about including basements in Floor Area Ratio (FAR) calculations because it will make about a third of the houses in the City of Urbana non-conforming. Mr. Hopkins noted that single-family homes are excluded from this amendment. In fact, this extends to duplexes and townhouses and would make duplexes conforming.

Chair Fitch expressed concern about the language in Section VI-4.A.2.c regarding FAR referring to the use as basements. The intent is to exclude basement structures from the calculation for the FAR of a single-family dwelling, duplex or townhouse, not the use as a basement. He recommended removing the word "used" from the language. Mr. Hopkins agreed.

LANDSCAPING

Ms. Pearson noted that another concern expressed in some of the communications received was to enhance the landscaping and tree planting requirements. Chair Fitch believed that similar to vehicle signs, this would require a separate text amendment.

OTHER DISCUSSION OF THE COMMISSION

Mr. Hopkins questioned the amendment to the definition of “*multiple frontage (corner) lots*”. Mr. Garcia explained that any lot is required to have a front yard along a street frontage. Therefore, the definition for “*corner lot*” seemed unnecessarily complicated, especially since the term was only referred to once or twice throughout the entire Zoning Ordinance. Simplifying the definition, as proposed, would not affect any of those references. Mr. Hopkins felt that it would work.

Mr. Hopkins questioned the amendment to the definition of “*Accessory Building or Structure*”. Is anything constructed that requires attachment to the ground? A shed, which is defined as a structure, does not require a foundation. However, a shed that is under 120 square feet and does not require a permit is required to be attached to the ground so it will not blow away. Does the Zoning Ordinance make a distinction between attached to the ground and requiring a foundation? Mr. Garcia replied that the proposed amendment would only clean up the extra language. City staff was not proposing a new definition for “*shed*”, but instead moving it out from under “*accessory building or structure*” to its own definition. They are proposing to get away from using the term “*building or structure*” throughout the Zoning Ordinance because all buildings are structures. It is redundant to say “*building or structure*”, so with the proposed amendment we can just say “*structure*”.

Mr. Hopkins inquired about Figure VIII-2. Is replacing the existing Turnaround Design with two options a result of a change to the Site Plan requirements? Mr. Garcia replied that after he published the memo, he spoke with Bill Gray, City Engineer, about Figure VIII-2. It was intended to provide three typical designs, not two. They need to add a third option. He explained that Option A would be as proposed. Option B would have a No Parking Area but the drive aisle would be 23 feet wide, and Option C would have all parking spaces available and a 30-foot wide drive aisle. Mr. Hopkins stated that it would be helpful to provide the explanatory text next to each option. Mr. Garcia said that they could label Option A as the minimum requirement and the other two options would be labelled as Alternative Option A and Alternative Option B.

With no further discussion, Chair Fitch summarized the changes that the Plan Commission mentioned. They were as follows:

1. Remove the section about vehicle signs.
2. Reword the proposed last sentence of Section VI-5.E.1 to read something like, “*If a development proposal includes demolishing existing buildings, those lots shall be considered as having the minimum front yard required in that district*”.
3. Reword Section VI-4.A.2.c to read as such, “*Basements in single-family dwellings, duplexes, and townhouses*”.
4. Include all three diagrams and add language to Figure VIII-2.

Mr. Hopkins moved that the Plan Commission forward Plan Case No. 2320-T-17 to the City Council with a recommendation for approval with the following changes as summarized by Chair Fitch prior to this motion and to keep the requirement for parking for one-bedroom apartments to

be one parking space per dwelling unit as currently written in the Zoning Ordinance. Chair Fitch seconded the motion.

Mr. Fell inquired whether the change to the use regulations in the MOR District as discussed earlier was part of the motion. Mr. Hopkins stated that it was his intent to include any changes that were mentioned during discussion. That would include rewording Section V-8.C. to add “existing.”.

Mr. Fell moved an amendment to the motion to change the parking requirement for one-bedroom apartments to be .5 parking space per dwelling unit as recommended by City staff in the proposed text amendment. Mr. Trail seconded the motion.

Mr. Ackerson commented that the argument is based on the assumption of the number of people living in a unit, but it should not matter from one-bedroom apartments to two or more bedroom apartments. We should not assume that a two-bedroom apartment would not have four people living in it. It does not logically make sense to require one parking space for a one-bedroom apartment (one parking space per unit) and one parking space for a two-bedroom apartment (.5 parking space per bedroom). Mr. Trail spoke in favor of the change in required parking for one-bedroom apartments.

Roll call taken on the motion to amend was as follows:

Ms. Billman	-	No	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Hopkins	-	No
Mr. Trail	-	Yes	Mr. Turner	-	Yes
Mr. Ackerson	-	Yes			

The amendatory motion passed by a vote of 5 – 2.

Roll call on the main motion including the amendment to change the parking as amended was as follows:

Mr. Fell	-	No	Mr. Fitch	-	Yes
Mr. Hopkins	-	Yes	Mr. Trail	-	Yes
Mr. Turner	-	Yes	Mr. Ackerson	-	Yes
Ms. Billman	-	Yes			

The motion was approved by a vote of 6 – 1.

Mr. Garcia noted that this case would be forwarded to City Council on Monday, December 18, 2017.

8. NEW BUSINESS

Update to the Plan Commission’s Official Bylaws

Chair Fitch opened this item on the agenda. Lorrie Pearson, Planning Manager, presented the two changes to the bylaws to the Plan Commission. She mentioned that the Plan Commission would not be allowed, according to the bylaws, to vote on the proposed changes at this meeting. This item would be continued to the next meeting upon which time the Plan Commission would make a motion and vote.

Mr. Fitch agreed with the proposed change to eliminate the requirement for staff and a Plan Commission member to attend a cancelled meeting but liked the existing language about posting notices. Ms. Pearson stated that the existing Zoning Ordinance already requires City staff to post agendas and cancellation notices in the City building, and they also post notices to the City's website.

Ms. Billman asked if the Chairperson currently makes the decision to cancel meetings. Chair Fitch said that the City staff makes the decision to cancel based on the status of current cases and caseload.

Ms. Billman wondered when the proposed changes would take effect once they are approved. Mr. Fitch replied that the changes to the bylaws would go into effect at the meeting following the meeting when they are voted on.

Ms. Pearson stated that the Plan Commission could vote on the proposed update to the bylaws at the next meeting on Thursday, December 21, 2017.

9. AUDIENCE PARTICIPATION

There was none.

10. STAFF REPORT

Mr. Garcia gave a staff report on the following:

- PUD for Zeta Tau Alpha House was approved by City Council.

11. STUDY SESSION

There was none.

12. ADJOURNMENT OF MEETING

The meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Lorrie Pearson, Secretary
Urbana Plan Commission